

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KYLE HOLBROOK, et al.)	
)	
Plaintiffs,)	Civil No. 18-539
)	Judge Marilyn J. Horan/
v.)	Magistrate Judge Patricia I. Dodge
)	
CITY OF PITTSBURGH, et al.)	
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Patricia L. Dodge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges.

On January 27, 2021, the Magistrate Judge issued a Report and Recommendation, ECF No.363, recommending that the Motion to Dismiss Pursuant to F.R.C.P. 12 (b)(5) and (b)(2) filed by Defendant Urban Redevelopment Authority of Pittsburgh (ECF No. 345) be granted. The parties were informed that written objections to the Report and Recommendation were due by February 10, 2021. To date, no objections have been filed nor has any party sought an extension of time in which to file objections.

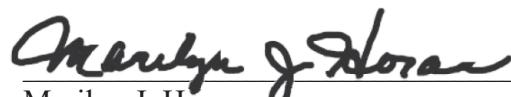
Accordingly, after *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 16th day of March 2021, it is hereby ORDERED as follows:

The Magistrate Judge's Report and Recommendation, ECF No. 363, dated January 27, 2021, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant Urban Redevelopment Authority of Pittsburgh's Motion to Dismiss Pursuant to F.R.C.P. 12 (b)(5) and (b)(2), ECF No. 345, is GRANTED. The Court finds that Defendant Urban Redevelopment Authority of Pittsburgh has never been served with process in this matter, and that the Plaintiff lacks good cause for its failure to accomplish service of process. Therefore, the Court lacks personal jurisdiction over Defendant Urban Redevelopment Authority of Pittsburgh and, in the exercise of its discretion, dismisses all claims in this matter against Urban Redevelopment Authority of Pittsburgh, without prejudice.

By the Court:



Marilyn J. Horan
United States District Judge